

APPENDIX A

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA**

Order Instituting Investigation into the)	I. 02-11-040
Gas Market Activities of Southern)	
California Gas Company, San Diego Gas)	
and Electric, Southwest Gas, Pacific Gas)	
and Electric, and Southern California)	
Edison and their impact on the Gas Price)	
Spikes experienced at the California)	
Border from March 2000 through May)	
2001)	

MODIFIED PROTECTIVE ORDER FOR

INVESTIGATION 02-11-040

1. This Modified Protective Order shall govern access to and the use of all Protected Materials in this proceeding as hereinafter defined. Notwithstanding any order terminating this docket, this Modified Protective Order shall remain in effect for two years after a final and unappealable order terminating this proceeding, or until, after notice and an opportunity to be heard, it is specifically modified or terminated by the Assigned Commissioner, the Assigned Administrative Law Judge ("Assigned ALJ"), the Law and Motion Administrative Law Judge ("Law and Motion ALJ") or the California Public Utilities Commission ("CPUC" or "Commission"). This Modified Protective Order does not address the right of employees of the Commission acting in their official capacities to view Protected Materials, because Section 583 of the Public Utilities Code and the Commission's General Order 66-C already require Commission employees to maintain the confidentiality of such Protected Materials.

2. A Participant, as hereinafter defined, may designate as protected those materials which customarily are treated by that Participant as sensitive or

proprietary, which are not available to the public, and which, if disclosed freely, Protective Order Non-Disclosure Certificates that have already been executed on each Non-Party within five business days of the production of Protected Materials by that Non-Party.

11. A Reviewing Representative may exchange Protected Materials with any other Reviewing Representative for the same Participant as long as the disclosing Reviewing Representative and the receiving Reviewing Representative both have executed a Non-Disclosure Certificate. The foregoing does not preclude Reviewing Representatives for different Participants from discussing and/or sharing analyses of Protected Materials, analyses of Notes of Protected Materials and information contained therein as long as each Reviewing Representative has executed a Non-Disclosure Certificate. Reviewing Representatives of Respondents may also confidentially discuss Protected Materials in their possession that have been produced by any Respondents and/or their affiliates and holding companies with authorized representatives of the California Attorney General's Office who possess the same Protected Materials. Reviewing Representatives and Participants receiving such shared analyses shall treat them as Notes of Protected Materials. In the event that any Reviewing Representative to whom the Protected Materials are disclosed ceases to be engaged in these proceedings, or is employed or retained for a position whose occupant is not qualified to be a Reviewing Representative under Paragraph 4(f), access to Protected Materials by that person shall be terminated and that person shall either (a) destroy all Protected Materials, Notes of Protected Materials and Electronic Notes of Protected Materials in his or her possession, (b) give all Protected Materials, Notes of Protected Materials and Electronic Notes of Protected Materials in his or her possession to the Participant for whom he or she had been employed at the time he or she obtained or created the Notes of Protected

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Materials and Electronic Notes of Protected Materials, or (c) give all Notes of Protected Materials and Electronic Notes of Protected Materials in his or her